

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

GARY L. QUIGG,

Plaintiff,

vs.

PAUL REES,

Defendant.

**CV-18-86-BMM-JTJ**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations recommending that Quigg's Motion to Amend/Supplement Complaint be denied. (Doc. 32). Neither party filed objections. The Court reviews for clear error any portion to which no party specifically objected. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Quiggs filed a complaint alleging the defendant denied him adequate medical care in violation of the Eighth Amendment. (Doc. 2). Quiggs now seeks to amend his complaint to bring a defamation claim against defense counsel for a

statement made in Defendant's Initial Disclosure Statement. Judge Johnston concluded that Quigg was seeking to improperly join an unrelated claim.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Quigg's underlying claim regarding his medical care and his defamation claim are against a different defendant and do not arise out of the same transaction, nor do they contain a question of law or fact common to all defendants. Fed. R. Civ. P. 20(a)(2).

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 32) are **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Quigg's Motion to Amend/Supplement Complaint (Doc. 30) is **DENIED**.

DATED this 18th day of November, 2019.



---

Brian Morris  
United States District Court Judge